

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

LINDA HENDRIX,

Plaintiff,

V.

) CIVIL ACTION NO. _____

**The City of Atlanta, Georgia and
Marian Woods, in her individual
capacity & as Administrator of
the Civil Service Board, City of
Atlanta,**

Defendants.

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1441, 1443(2), 1446(a), 1446(b) and Rule 81(c) of the Federal Rules of Civil Procedure, Defendants City of Atlanta and Marian Woods, (collectively “City Defendants”), file this Notice of Removal of the instant action from the Superior Court of Fulton County, Georgia where it is now pending, to the United States District Court for the Northern District of Georgia, Atlanta Division, and show the Court as follows:

1.

On or about March 14, 2019, Plaintiff filed her Complaint in the Superior Court of Fulton County, Georgia, Civil Action File Number 2019CV318177 (attached hereto as Exhibit “A”).

2.

Defendant City of Atlanta was served with Plaintiff’s Complaint by process server on or about March 20, 2019.

3.

The Complaint asserts a cause of action against Defendants alleging violations of the United States Constitution; specifically, “claims under 42 U.S.C. §1983.”

4.

This court has original jurisdiction of this matter concurrent with the original jurisdiction of the state court and this matter is removable pursuant to the provisions of 28 U. S. C. § 1441 (a).

5.

This Notice of Removal is timely in that it is filed within thirty (30) days of service of the Complaint. Defendants have complied with all conditions precedent to removal.

6.

Defendant CITY OF ATLANTA AND MARIAN WOODS' ANSWER TO PLAINTIFF'S COMPLAINT is attached hereto as Exhibit B and was filed on this day in Fulton County Superior Court.

Respectfully submitted this 19th day of April, 2019.

Respectfully Submitted,

/s/ Torrey D. Smith

TORREY D. SMITH

Litigation Division Chief

Georgia Bar No. 314105

(404) 546-4173 *direct dial*

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CITY OF ATLANTA LAW DEPARTMENT
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404-546-4100 (main)

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CERTIFICATE OF SERVICE

I hereby certify that on April 19, 2019, I electronically filed the foregoing **NOTICE OF REMOVAL** with the Clerk of Court using the *CM/ECF* system and served copies via email and U.S. Postal Service upon Plaintiff to the following counsel of record:

Debra Schwartz
Charlotte J. Redo
Schwartz Rollins, LLC
945 E. Paces Ferry Road
Suite 2270
Atlanta, Georgia 30326

This 19th day of April 2019.

Respectfully Submitted,

/s/ Torrey D. Smith

TORREY D. SMITH

Litigation Division Chief

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